

<p><b>UNITED STATES BANKRUPTCY COURT</b>  <b>DISTRICT OF NEW JERSEY</b></p> <p><i>Caption in Compliance with D.N.J. LBR 9004-1(b)</i>  <b>OBERMAYER REBMANN MAXWELL &amp; HIPPEL LLP</b>  Edmond M. George, Esquire  Michael D. Vagnoni, Esquire  (pro hac vice forthcoming)  1120 Route 73, Suite 420  Mount Laurel, NJ 08054-5108  Telephone: (856) 795-3300  Facsimile: (856) 482-0504  E-mail: edmond.george@obermayer.com                      michael.vagnoni@obermayer.com</p> <p>Proposed Counsel to the Debtor  and Debtor in Possession</p>
<p>In re:</p> <p>KIMO TILE @ MARBLE, LLC,</p> <p style="text-align: center;">Debtor.</p>

Chapter 11

Case No. 24- \_\_\_\_\_ - ( )

**APPLICATION FOR RETENTION OF PROFESSIONAL**

1. The applicant, KIMO Tile @ Marble, LLC (the “Applicant” or “Debtor”), is the (check all that apply):

☐ Trustee:                      ☐ Chap. 7    ☐ Chap. 11    ☐ Chap. 13.

☒ Debtor:                      ☒ Chap. 11    ☐ Chap. 13

☐ Official Committee of \_\_\_\_\_

2. The Applicant seeks to retain the following professional, Obermayer Rebmann Maxwell & Hippel LLP, to serve as (check all that apply):

☒ Attorney for:                      ☐ Trustee                      ☒ Debtor-in-Possession

☐ Official Committee of \_\_\_\_\_

☐ Accountant for:                      ☐ Trustee                      ☐ Debtor-in-possession

☐ Official Committee of \_\_\_\_\_

- ☐ Other Professional:
- ☐ Realtor      ☐ Appraiser      ☐ Special Counsel
- ☐ Auctioneer      ☐ Other (specify): \_\_\_\_\_

3. The employment of the professional is necessary because:

Applicant desires to retain the Obermayer firm as its counsel to represent Applicant in this Chapter 11 bankruptcy proceeding.

4. The professional has been selected because:

Its members have considerable experience in representing Chapter 11 debtors and Applicant believes the Obermayer firm is well-qualified to represent the Debtor.

5. The professional services to be rendered are as follows:

- a) Advise the Debtor of its rights, powers and duties as a debtor in possession in continuing to operate and manage its assets and business;
- b) Assisting officers and professionals of KIMO in the preparation of any administrative and procedural legal papers as may be required for the sound conduct of the case, including, but not limited to, the Debtor's schedules and statement of financial affairs;
- c) Performing all other legal services for KIMO including, but not limited to, preparing on the Debtor's behalf, all necessary and appropriate applications, motions, pleading, orders, notices, petitions, schedules and other documents to be filed in the Debtor's chapter 11 case;
- d) Advise the Debtor concerning and prepare responses to any applications, motions, pleading, orders, notices, petitions, schedules and other documents which may be filed in the Debtor's chapter 11 case;
- e) Counsel the Debtor in its effort to sell all or substantially all of its assets pursuant to 11 U.S.C. § 363 and in connection with the drafting, negotiation and promulgation of a Chapter 11 plan and disclosure statement;
- f) Review the nature and validity of agreements relating to the Debtor's business operations and advise the Debtor in connection therewith;
- g) Advise the Debtor regarding the actions it may take to collect and recover property for the benefit of its bankruptcy estate;
- h) Review claims and advise the Debtor on claim objections;

- i) Review the nature and validity of liens asserted against the Debtor and advise as to the enforceability of those liens.
6. The proposed arrangement for compensation is as follows:  
  
Obermayer will charge a discounted hourly rate, from \$400 to \$700 per hour for attorneys and \$125 per hour for paralegals, depending on the level of seniority of the individual performing the services, which is adjusted annually, plus reimbursement for all actual out-of-pocket expenses incurred in connection with this engagement, as approved by the Court upon application.
7. To the best of the Applicant's knowledge, the professional's connection with the debtors, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States trustee, is as follows:  
  
☒ None.  
  
☐ Describe connection: .
8. To the best of the applicant's knowledge, the professional (check all that apply):  
  
☒ does not hold an adverse interest to the estate.  
  
☒ does not represent an adverse interest to the estate.  
  
☒ is a disinterested person under 11 U.S.C. § 101(14).  
  
☒ does not represent or hold any interest adverse to the debtor or the estate with respect to the matter for which he/she will be retained under 11 U.S.C. § 327(e).  
  
☐ Other; explain:
9. If the professional is an auctioneer, appraiser or realtor, the location and description of the property is as follows:

The Applicant respectfully requests authorization to employ the professional to render services in accordance with this application, with compensation to be paid as an administrative expense in such amounts as the Court may determine and allow.

Date: 10/9/2024

DocuSigned by:

*Sasha Kissoondath*

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Sasha Richard Kissoondath  
Managing Member